

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

_____)	
JACQUELYN R. DONNELLY,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-985
)	
RICHARD FITZGERALD,)	
)	
Defendant.)	
_____)	

ORDER

This matter comes before the Court on Defendant's Motion to Dismiss Claim for Attorney Fees and Motion to Dismiss Claim for Punitive Damages.

It appearing to the Court that the parties are in agreement that Plaintiff has failed to state a claim upon which attorney fees may be granted, and Plaintiff has stated a claim upon which punitive damages may be granted it is hereby

ORDERED that Defendant's Motion to Dismiss Claim for Attorney Fees is GRANTED and Defendant's Motion to Dismiss Claim for Punitive Damages is DENIED.

/s/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
October 28, 2005